

Message Text

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ACTION SCI-06

INFO OCT-01 EUR-25 IO-14 ISO-00 ACDA-19 AF-10 ARA-16

CIAE-00 DODE-00 EA-11 PM-07 H-03 INR-10 L-03 NASA-04

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 4721

INFO AEC GERMANTOWN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

USMISSION IEC BRUSSELS UNN

USMISSION GENEVA

C O N F I D E N T I A L IAEA VIENNA 6204

GENEVA FOR DISTO

E.O. 11652: GDS

TAGS: PARM TECH IAEA

SUBJECT: NPT EXPORTERS COMMITTEE MEETING -- SHIFT IN ITALIAN
POSITION

REF:A)IAEA VIENNA 6059; B) IAEA VIENN 6062

1. AS REFTELS POINTED OUT, ITALY FOUND ITSELF IN TOTAL ISOLATION
AT SUBJECT (ZANGGR) COMMITTEE MEETINGS JULY 2 AND 3 WITH RESPECT
TO ITS REFUSAL TO ACCPT AND IMPLEMENT MANY OF THE PROVISIONS
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IN TH COMMITTEE'S MEMORANDA AS WELL AS THE PROPOSALS FOR

EXCHANGING COMMITMENTS FOR COMMON ACTION AMONG THE VARIOUS NUCLEAR EXPORTING STATES. THIS ELICITED STRONG PRESSURE ON ITALIANS FROM MOST STATES INCLUDING US TO RECONSIDER ITS POSITION.

2. ITALIAN EMBASSY HAS NOW INFORMED SECRETARY OF ZANGGER COMMITTEE (JACKSON, UK) THAT ITALY NOW PREPARED TO MOVE SOMEWHAT CLOSER TOWARDS ACCEPTANCE OF ZANGGER COMMITTEE PACKAGE. ITALY HAS AUTHORIZED JACKSON TO PLACE IN THE COMMITTEE MINUTES THE FOLLOWING STATEMENT: QUOTE THE REPRESENTATIVE OF ITALY LATER INFORMED THE SECRETARY (OF THE ZANGGER COMMITTEE), WITH REFERENCE TO HIS STATEMENT IN PARAGRAPHS (BLANK) OF MINUTES, THAT HIS AUTHORITIES WERE PREPARED TO IMPLEMENT, ON THE BASIS INDICATED IN HIS STATEMENT, NOT ONLY PARAGRAPHS 2 AND 3 OF THE MEMORANDA BUT ALSO THE SUBSEQUENT PARAGRAPHS, APART FROM PARAGRAPHS 7, 1 AND 9 OF ZC(72)/10/REV. 5, AND PARAGRAPH 7 OF ZC(72)/12/REV. 2, SUBJECT TO THE DISCLAIMER STATEMENT, RELATING TO PARAGRAPH 6 OF THE MEMORANDA REFERRED TO BY THE REPRESENTATIVE OF THE FEDERAL REPUBLIC OF GERMANY. (PARAGRAPH (BLANK) OF MINUTES OF JULY 2, 1974) UNQUOTE

3. WE UNDERSTAND THAT EHE EC MEMBERS OF THE ZANGGER COMMITTEE MET FOLLOWING JULY 3 MEETING AND URGED ITALY TO TAKE AT LEAST THE MINIMUM POSITION SET FORTH ABOVE. EC STATES PARTICULARLY STRESSED NECESSITY FOR ITALIAN ACCEPTANCE PARAGRAPH 6 RELATING TO RE-EXPORTS AS WELL AS DISCLAIMER STATEMENT WITH RESPECT TO INTRA-COMMUNITY TRADE WITH FRANCE.

4. REVISED ITALIAN POSITION IS STILL INADEQUATE IN MISSION'S VIEW BUT INDICATES THEY ARE SUBJECT TO PRESSURE TO MOVE CLOSER TO GROUP'S INTENTIONS. INADEQUACIES REMAINING ARE: A) FAILURE OF ITALY TO AGREE TO EXCHANGE INFORMATION WITH OTHER SUPPLIERS ON EXPORTS AS PROVIDED IN PARAGRAPHS 7, 8 AND 9 OF UNABRIDGED COMMITTEE MEMORANDUM RELATING TO EQUIPMENT AND PARAGRAPH 7 OF COMMITTEE MEMORANDUM RELATING TO EXPORTS OF SOURCE AND SPECIAL FISSIONABLE MATERIAL AND, B) REFUSAL OF ITALY TO MAKE FIRM COMMITMENTS TO OTHER EXPORTING STATES THROUGH EXCHANGE OF NOTES TO ASSURE THAT ITALY WOULD ACT IN COMMON WITH OTHER EXPOERTERS. WE UNDERSTAND THAT ITALIAN MISSION IN VIENNA IS PREPARED TO EXCHANGE LETTERS WITH OTHER MISSIONS CONFIRMING THE UNDERSTANDING QUOTED IN PARAGRAPH 2 ABOVE, BUT THIS PROCEDURE FALLS SHORT
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OF PROVIDING A SATISFACTORY BASIS FOR PRESENT ITALIAN ASSOCIATION WITH THE GROUP, SINCE, ACCORDING TO ITS STATEMENT (SEE PARA 15 REFTEL A)
ITALY DOES NOT INTEND TO PUT ITS UNILATERALLY ADOPTED PROCEDURES RE EXPORTS OF NUCLEAR EQUIPMENT AND MATERIAL INTO EFFECT UNTIL THE IAEA/EURATOM SAFEGUARDS AGREEMENT IS IN FORCE, AND SINCE STATEMENT OMITTS COMMITMENTS, TO BE TAKEN BY OTHER STATES IN GROUP WHICH HAVE NOT YET RATIFIED THE NPT, TO ACT IN THE INTERIM

PRIOR TO RATIFICATION AND AS FAR AS LEGALLY POSSIBLE IN ACCORDANCE WITH THE PROCEDURES SET OUT IN THE ZANGGER COMMITTEE MEMORANDA.

5. VIEWED STRICTLY FROM STANDPOINT OF IMPLEMENTATION OF US OBLIGATIONS UNDER NPT ARTICLE III(2), ITALIAN DISASSOCIATION FROM FORMAL ACTION BY MEMBERS OF COMMITTEE APPEARS TO HAVE NO EFFECT, IF US AGREEMENTS FOR COOPERATION WITH EURATOM CONTAIN COMPREHENSIVE REQUIREMENT (AS SEEMS TO BE CASE OF ART. XI OF JOINT PROGRAM AGREEMENT OF NOVEMBER 8, 1958, AND ART. II OF SEPTEMBER 20, 1972 AMENDMENTS TO ADDITIONAL AGREEMENT OF JUNE 11, 1960) THAT NEITHER "MATERIAL, INCLUDING EQUIPMENT OR DEVICES," NOR PRODUCED SPECIAL FISSIONABLE MATERIAL MAY BE TRANSFERRED OUTSIDE COMMUNITY WITHOUT USG APPROVAL. MISSION WOULD APPRECIATE CONFIRMATION THIS CONCLUSION.

6. ITALIAN NON-PARTICIPATION COULD, HOWEVER, HAVE SERIOUS NEGATIVE IMPACT ON WILLINGNESS OF OTHER MEMBERS OF GROUP TO EXCHANGE UNDERSTANDINGS FOR IMPLEMENTATION OF ZANGGER COMMITTEE MEMORANDA. FOREMOST AMONG THESE ARE JAPAN AND EC MEMBERS. LATTER ARE ALREADY PUTTING PRESSURE ON ITALY, WITH SOMEWHAT ENCOURAGING RESULTS REPORTED ABOVE.

7. MORE SERIOUS PROBLEM, BEING REPORTED SEPTEL, IS GROWING CONCERN RE ITALY'S INTENTIONS RE NPT RATIFICATION, WHICH WE RECOMMEND BE GIVEN USG PRIORITY, LEAVING TO EC MEMBERS, FOR TIME BEING, ZANGGER COMMITTEE PROBLEM. ONCE NPT RATIFICATION IS ACHIEVED, ZANGGER COMMITTEE PROBLEM WITH ITALY WILL VIRTUALLY BE RESOLVED AUTOMATICALLY IN ANY EVENT, ACCORDING TO TERMS OF ITS PROPOSED UNILATERAL STATEMENT. PORTER

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